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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 JUSTIN KINNEY,
10 Plaintiff,
11 v.
12 MICHAEL J. ASTRUE, Commissioner of
13 Social Security,
14 Defendant.

CASE NO. C09-5499RBL
ORDER

15 The Court, having reviewed Plaintiff's complaint, the Report and Recommendation of
16 Judge J. Richard Creatura, United States Magistrate Judge, and objections to the report and
17 recommendation, if any, and the remaining record, does hereby find and ORDER:
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- 19 (1) The Court adopts the Report and Recommendation;
- 20 (2) Plaintiff's claims and causes of action are DISMISSED, without prejudice, for
21 lack of prosecution; and
- 22 (3) The Clerk is directed to send copies of this Order to counsel of record.

23 DATED this 27th day of May, 2010.

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26 RONALD B. LEIGHTON
 UNITED STATES DISTRICT JUDGE